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25 **UNITED STATES DISTRICT COURT**

26 **DISTRICT OF NEVADA**

27 THE BANK OF NEW YORK MELLON
28 TRUST COMPANY,

Plaintiff,

vs.

CHICAGO TITLE INSURANCE
COMPANY et al.,

Defendants.

Case No.: 2:20-cv-01394-JCM-BNW

**STIPULATION AND ORDER TO
EXTEND TIME PERIOD TO
RESPOND TO COMPLAINT [ECF No.
1]**

[FOURTH REQUEST]

COMES NOW defendant Chicago Title Insurance Company (“Chicago Title”) and
plaintiff The Bank of New York Mellon Trust Company (“BONY”), by and through their
respective attorneys of record, which hereby agree and stipulate as follows:

1. On July 27, 2020 BONY filed its complaint in the instant action. (ECF No. 1.);
2. On August 21, 2020, the Court granted the Parties’ stipulation to extend Chicago

1 Title's deadline to respond to the Complaint (ECF No. 10.);

2 3. On September 22, 2020, the Court granted the Parties' second stipulation to extend
3 Chicago Title's deadline to respond to the Complaint (ECF No. 16);

4 4. On October 7, 2020, the Court granted the Parties' third stipulation to extend
5 Chicago Title's deadline to respond to the Complaint (ECF No. 20);

6 5. Chicago Title's current deadline to respond to the Complaint is October 21, 2020;

7 6. The Parties are currently engaged in settlement negotiations, and one Party is
8 currently considering the other Party's settlement offer;

9 7. Chicago Title requests a 30-day extension of its deadline to respond to BONY's
10 complaint, until November 20, 2020, so that neither party is forced to incur additional fees
11 relating to the defense of this action while the Parties are pursuing informal resolution of this
12 dispute;

13 8. By entering into this stipulation Chicago Title does not waive any potential
14 defenses under Fed. R. Civ. P. 12;

15 9. BONY does not oppose the requested extension;

16 10. This is the fourth request for an extension which is made in good faith and not for
17 purposes of delay;

1 **IT IS SO STIPULATED** that Chicago Title's deadline to respond to the complaint is
2 hereby extended through and including November 20, 2020.

3 Dated: October 16, 2020

SINCLAIR BRAUN LLP

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5 By: /s/-Kevin S. Sinclair
6 KEVIN S. SINCLAIR
7 Attorneys for Defendants
8 CHICAGO TITLE INSURANCE COMPANY

9 Dated: October 16, 2020

WRIGHT FINLAY & ZAK, LLP

10 By: /s/-Lindsay D. Robbins
11 LINDSAY D. ROBBINS
12 Attorneys for Plaintiff
13 THE BANK OF NEW YORK MELLON
14 TRUST COMPANY

15 **IT IS SO ORDERED**

16 **DATED:** 11:31 am, October 20, 2020

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18 **BRENDA WEKSLER**
19 **UNITED STATES MAGISTRATE JUDGE**
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